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REMARKS

Applicants thank the Examiner for the detailed Office Action dated December 8, 2006.

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

The amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in this application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1, 3-12, 14, and 16-21 were pending in the application. Claims 10 and 14 have been amended. Claims 1, 3-12, 14, and 16-21 are now pending in this application.

On page 2, the Examiner objected to informalities in claims 10 and 14. Claims 10 and 14 have been amended based on the Examiner's suggestions. Entry of these amendments and reconsideration and withdrawal of the objections to claims 10 and 14 is respectfully requested.

For simplicity and clarity purposes in responding to the Office Action, Applicants' remarks are primarily focused on the rejections of the independent claims (i.e., claims 1, 10 and 14) outlined in the Office Action, with the understanding that the dependent claims that depend from the independent claims are patentable for at least the same reasons (and in most cases other reasons) that the independent claims are patentable. Applicants expressly reserve the right to argue the patentability of the dependent claims separately in any future proceedings.

Independent Claims 1

The Examiner rejected claim 1 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,292,917 to Sinha et al. ("Sinha").

Sinha shows an "unequal error protection (UEP) techniques for use in the transmission of audio information bits, e.g., audio bits generated by an audio coder such as the perceptual audio coder (PAC)" (Sinha at col. 3, lines 54-57).

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Sinha does not identically disclose the combination of elements recited in independent claim 1. For example, independent claim 1 recites “negotiating quality of service parameters for at least two streams” including, among other elements, “the one of two streams has a higher quality of service level based at least in part on the detected level of interference,” which is not identically disclosed in Sinha. Sinha does not appear to disclose any negotiating functionality.

Sinha appears to disclose a system that utilizes “unequal error protection (UEP) techniques for use in the transmission of audio information bits” (Sinha at col. 3, lines 54-57). Sinha does not disclose a system that is utilized in a packet-switched network and/or a computer network, which negotiates quality of service parameters for at least two streams. Since Sinha does not appear to disclose any negotiation function, Sinha does not anticipate this invention.

Applicants respectfully submit that the subject matter recited in independent claim 1 and the claims which are dependent thereon, are not anticipated and would not have been obvious to a person of ordinary skill in the art and are patentable. Accordingly, Applicants request withdrawal of the rejection of the claims under 35 U.S.C. § 102(e).

Independent Claims 10

The Examiner rejected claim 10 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,292,917 to Sinha et al. (“Sinha”).

Sinha shows an “unequal error protection (UEP) techniques for use in the transmission of audio information bits, e.g., audio bits generated by an audio coder such as the perceptual audio coder (PAC)” (Sinha at col. 3, lines 54-57).

Sinha does not identically disclose the combination of elements recited in independent claim 10, as amended. For example, independent claim 10, as amended, recites “a network capable of supporting quality of service negotiations” including, among other elements, “a link configured for supporting quality of service channels” and a software component for

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negotiating quality of service parameters with the network,” which is not identically disclosed in Sinha. Sinha does not appear to disclose any negotiating functionality.

Sinha appears to disclose a system that utilizes “unequal error protection (UEP) techniques for use in the transmission of audio information bits” (Sinha at col. 3, lines 54-57). Sinha does not disclose a system that is utilized in a packet-switched network and/or a computer network, which negotiates quality of service parameters for at least two streams. Since Sinha does not appear to disclose any negotiation function, Sinha does not anticipate this invention.

Applicants respectfully submit that the subject matter recited in independent claim 10, as amended, and the claims which are dependent thereon, are not anticipated and would not have been obvious to a person of ordinary skill in the art and are patentable. Accordingly, Applicants request withdrawal of the rejection of the claims under 35 U.S.C. § 102(e).

Independent Claims 14

The Examiner rejected claim 14 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,292,917 to Sinha et al. (Sinha).

Sinha shows an “unequal error protection (UEP) techniques for use in the transmission of audio information bits, e.g., audio bits generated by an audio coder such as the perceptual audio coder (PAC)” (Sinha at col. 3, lines 54-57).

Sinha does not identically disclose the combination of elements recited in independent claim 14, as amended. For example, independent claim 14, as amended, recites “negotiating quality of service parameters for each of a plurality of file streams,” which is not identically disclosed in Sinha. Sinha does not appear to disclose any negotiating functionality.

Sinha appears to disclose a system that utilizes “unequal error protection (UEP) techniques for use in the transmission of audio information bits” (Sinha at col. 3, lines 54-57). Sinha does not disclose a system that is utilized in a packet-switched network and/or a computer

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network, which negotiates quality of service parameters for at least two streams. Since Sinha does not appear to disclose any negotiation function, Sinha does not anticipate this invention.

Applicants respectfully submit that the subject matter recited in independent claim 14, as amended, and the claims which are dependent thereon, are not anticipated and would not have been obvious to a person of ordinary skill in the art and are patentable. Accordingly, Applicants request withdrawal of the rejection of the claims under 35 U.S.C. § 102(e).

* * *

Applicants respectfully submit that the present Application is in condition for allowance. Applicants request reconsideration and allowance of the pending claims. The Examiner is invited to contact the undersigned by telephone if the Examiner needs anything or if a telephone interview would advance the prosecution of the present application.

Applicants respectfully put the Patent Office and all others on notice that all arguments, representations, and/or amendments contained herein are only applicable to the present patent application and should not be considered when evaluating any other patent or patent application including any patents or patent applications which claim priority to this patent application and/or any patents or patent applications to which priority is claimed by this patent application.

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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

Date 2/21/2007By Kyle Eppelle

ROCKWELL COLLINS, INC.
400 Collins Road, NE
M/S 124-323
Cedar Rapids, IA 52498
Telephone: (319) 295-8280
Facsimile: (319) 295-8777
Customer No. 26383

Kyle Eppelle
Attorney for Applicants
Registration No. 34,155